



November 4, 2016

BY ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: NOTICE OF EX PARTE
WT Docket No. 10-208: *Universal Service Reform - Mobility Fund*

Dear Ms. Dortch:

On November 3, 2016, Courtney Neville and I of Competitive Carriers Association (“CCA”) met with Claude Aiken, Legal Advisor to Federal Communications Commission (“FCC” or “Commission”) Commissioner Clyburn, Wireline, to discuss the above-referenced proceeding. Likewise, on November 4, 2016, CCA separately met with members of the Wireless Telecommunications Bureau; Edward Smith, Legal Advisor to Chairman Tom Wheeler, Wireless, Engineering and Technology, Consumers Affairs, and Incentive Auction; Travis Litman, Senior Legal Advisor to Commissioner Rosenworcel; and Amy Bender, Legal Advisor to Commissioner O’Rielly, Wireline. A full list of attendees from each meeting is included below. During these meetings, CCA discussed the FCC’s proposal to reform the Mobility Fund II program, and expressed support for the overall approach to preserve and expand consumer-demanded wireless services in rural America.¹

CCA appreciates the Commission’s goal to implement a Mobility Fund II program with a reasonable budget and to facilitate LTE deployment across the United States.² Specifically, CCA supports the FCC’s proposal to allocate nearly \$500 million in annual support over a five year period.³ Additionally, CCA recommends the Commission consider using speed benchmarks to

¹ See *Chairman’s Wheeler’s Proposals to Advance Seamless Nationwide Access to 4G LTE Mobile Voice and Broadband Service*, Fact Sheet (rel. Oct. 27, 2016), available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2016/db1027/DOC-341951A1.pdf (“Fact Sheet”).

² See *id.* See also Tom Wheeler, “Improving Wireless Coverage in Rural America,” (rel. Oct. 27, 2016), available at <https://www.fcc.gov/news-events/blog/2016/10/27/improving-wireless-coverage-rural-america> (“Chairman Wheeler Blog”).

³ CCA reiterates, however, that the cost of covering unserved areas – nearly 750,000 road miles according to Chairman Wheeler’s most recent blog – could exceed the current budget based on carriers’ experience constructing and completing Auction 901 projects. See *Ex Parte* Letter from Rebecca Murphy Thompson, EVP & General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 10-208 (filed Oct. 13, 2016) (*citing Ex Parte* Letter from David LaFuria, Counsel for United States Cellular Corporation,

measure performance.⁴ CCA commends the Commission for its proposal to reform the program that expands mobile broadband networks to portions of the country that are currently unserved, while ensuring that rural areas that are served in part because of current support are not stranded or do not experience services turned down.⁵

CCA also reiterated the importance of providing for an equitable phase-down period for legacy support recipients. CCA urged the Commission to avoid flash cuts in funding for legacy recipients who need it most and to ensure that consumers in rural and remote areas continue to have existing service from competitive carriers.

Finally, CCA encouraged the Commission to incorporate steps necessary to correct data inaccuracies. Specifically, while CCA supports the FCC's intent to implement a "process that will consider stakeholders' challenges to [] decisions,"⁶ the Commission should implement a more robust challenge process to provide stakeholders with an opportunity to address specific coverage inaccuracies prior to funds being dispersed. It is imperative that the FCC distribute funds in accordance with data that portrays an accurate and consistent picture of carriers' mobile broadband coverage in rural areas, measuring which areas are served and which are not.⁷ CCA recommended that the Commission direct the Wireless Telecommunications Bureau to review how best to update and improve the current coverage data. Nevertheless, CCA supports the Commission moving forward with a Mobility Fund II while the Commission works to improve coverage data.

Lukas, Nace, Gutierrez & Sachs, LLP, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 10-208 (filed May 31, 2016)).

⁴ These benchmarks could encompass a range of speeds beginning below 10/1 megabits per second and steadily increasing as funds are dispersed.

⁵ See *Ex Parte* Letter from Rebecca Murphy Thompson, General Counsel, CCA, to Marlene H. Dortch, Secretary, FCC, WT Docket No. 10-208 (filed Nov. 16, 2015); see also *Ensuring Intermodal USF Support for Rural America Before the S. Comm. on Commerce, Sci., and Transp. Subcomm. on Commc'ns, Tech., Innovation, and the Internet*, 114th Cong. (2016) (statement of Steven K. Berry, CEO & President of Competitive Carriers Association).

⁶ See FCC Fact Sheet at 1.

⁷ See Letter from Sens. Wicker (R-MS), Manchin (D-WV), Baldwin (D-WY), Blunt (R-MO), Burr (R-NC), Capito (R-WV), Daines (R-MT), Ernst (R-IA), Fischer (R-NE), Gardner (R-CO), Heitkamp (D-ND), Johnson (R-WI), King (I-ME), Klobuchar, (D-MN), McCaskill (D-MO), Moran (R-KS), Peters (D-MI), Roberts (R-KS), Rubio (R-FL), Tillis (R-FL), Vitter (R-LA), Warner (D-VA), Wyden (D-OR), Cochran (R-MS), Boozman (R-AR), Kirk (R-IL), U.S. Senate, to The Hon. Tom Wheeler, Chairman, Federal Communications Commission (July 11, 2016), *available at* <http://www.wicker.senate.gov/public/index.cfm/press-releases?ID=31B66AB0-57A7-4937-90BE-A5A31B6CF516> ("Senate Mobility Fund II Letter").

CCA looks forward to continued work with the Commission to ensure the universal availability and maintenance of modern wireless networks capable of providing advanced mobile broadband service to all Americans. This *ex parte* notification is being filed electronically with your office pursuant to Section 1.1206 of the Commission's Rules. Please do not hesitate to contact me with any questions or concerns.

Respectfully submitted,

/s/ Rebecca Murphy Thompson

Rebecca Murphy Thompson
EVP & General Counsel
Competitive Carriers Association

cc (via email): Edward Smith
Claude Aiken
Travis Litman
Amy Bender
Jim Schlichting
Margaret Wiener
Sue McNeil
Paroma Sanyal
Charles Eberle
Chris Helzer

Attendees with the Wireless Telecommunications Bureau

Jim Schlichting
Margaret Wiener
Sue McNeil
Paroma Sanyal
Charles Eberle
Chris Helzer
Rebecca Murphy Thompson
Tim Donovan
Courtney Neville

Attendees with Claude Aiken; Edward Smith; and Travis Litman

Rebecca Murphy Thompson
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